

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**CIVIL NUM. 98-189 (HL)**

**UNITED STATES OF AMERICA**

**VS.**

**ROBERTO FERRARIO POZZI**

**LEGAL NOTICE (ZEIZED AND FORFEITED PROPERTY, ETC.)**

**AFFIDAVIT**

I, Marilisa Román, of legal age, married, employee and resident of Bayamón, Puerto Rico, do solemnly swear:

That my name is the above mentioned and my personal circumstances are those as stated. That I am an Employee, of "EL NUEVO DIA", newspaper of General Circulation in the Island of Puerto Rico, and that position in Advertising and Legal Notice Department Supervisor and I am in charge of the advertisement.

I also declare that in the edition of this newspaper corresponding

**JULY 7, 14 & 21, 2005**

an advertisement was published that deals with the following:

**H.S. GARCIA, U.S. ATTORNEY**  
**ARAMIS G. RIOS, ASSISTANT U.S. ATTORNEY**

In witness whereof and upon request of those concerned, I swear to and sign the present in Guaynabo, P.R. this \_\_\_\_\_ day of **JUL 22 2005**, 20\_\_\_\_\_.

Affidavit No. 48,586

Acknowledged and sworn to before me by Marilisa Román and resident of Bayamón, Puerto Rico, whom I know personally.



Guaynabo, P.R. **JUL 22 2005** 20\_\_\_\_\_  
  
NOTARY PUBLIC

United States District Court for the District of Puerto Rico. United States of America, Plaintiff, v. Roberto Ferrario Pozzi, Defendant. Criminal No. 98-189 (HL). Legal Notice. To: The any known owner(s) of the seized and forfeited property. Whereas, on August 15, 2005, defendant Roberto Ferrario Pozzi, entered a Guilty Plea as to Count Three of the Second Superseding Indictment. Whereas by so doing, defendant agreed to the forfeit to the United States and relinquish all rights, title, and interest in the following property: (a.) \$113,000.00 sent to Sun Trust Bank account number 0793003050117 held in the name of A & E Use Truck Parts. (b.) \$200,000.00 sent to Banco Commerciale Ita account number 54717050175 held in the name of Agostino Ferrari S.P.A. (c.) \$873,255 sent to Credit Suisse P.B. account number 172477745-42 held in the name of Brianzanet. (d.) \$178,618.25 sent to Banco Correstate Bank account number 210001177393 held in the name of Canada Packers. (e.) \$227,000 sent to Banco Extebandes account number 120607677 in the name of Consorcio Neshor LTD. (f.) \$50,000 sent to commerce Bank account number 3083003824 in the name of Consorcio Neshor LTD. (g.) \$157,270 sent to Tojo Bank Futaba account number 185184 held in the name of Global Corporation. (h.) \$325,250.00 sent to First Bank of the Americas account number 1000123960 held in the name of Intartur. (i.) \$155,937.21 sent to Duetsche Bank Argentina account number 2638588 in the name Orchidys S.A. (j.) \$130,000 sent to The Dai Ichi Kangyo account number 900125719 held in the name of Watex International. (k.) \$106,843. sent to Cho Hung Bank account number 374710000585 held in the name of Royal Auto Parts. (l.) \$1,485,000 sent to First Bank of the Americas account number 1100881018 held in the name of Rozatta LTD. (m.) FirstBank account #305001389 in the name of "Multiplx, Inc." for the amount of \$245.28. (n.) FirstBank account #302007057 in the name of "Roberto Ferrario" for the amount of \$4,308.65. (o.) Banco Popular account #11269243 in the name of Roberto Ferrario for the amount of \$1,328.92. (p.) Banco Popular account #11902442 in the name of "Roberto Ferrario" for the amount of \$1,181.54. (q.) Banco Popular account #1125421 in the name of Roberto Ferrario in the amount of \$83,087.88. (r.) Ocean Bank account #50509821105 in the name of Invalores LTD in the amount of \$250,000.00. (s.) Cathay Bank account #120025 in the name of Mobil Tech in the amount of \$255,000.00. (t.) Banco Cafetalero Intl. account #593104031 in the name of Orlando Fajardo Castillo in the name of \$110,000.00. (u.) First Union Natl. account #2090001786014 in the name of Valley Cargo in the amount of \$60,000.00. (v.) First Union Natl. account #2090001186164 in the name of Valley Express in the amount of \$20,000.00. (x.) LaSalle Bank, NA account #2323707 in the name of Global Marketing in the amount of \$47,536.58. (y.) Bank Boston Int'l account #9047839 in the name of Hernando M. Aristizabal in the amount of \$475,000.00. (z.) Republic Nat'l Bank account #0311007692 in the name of Fortuity Int'l in the amount of \$81,000.00. (aa.) I.F.B. Bank account #040400401906 in the name of Competition LTDA, for the amount of \$79,600.00. (bb.) FirstBank account #305001378 in the name of Multiplx in the amount of \$2,251.77. Whereas, upon the Guilty Plea entered by the defendant, the forfeiture of the above property stands unopposed; and Whereas, the United States has made a sufficient showing of the forfeitability of the property, establishing the required nexus between the property mentioned above and the offenses which the defendant pled guilty to; and Whereas, by virtue of the Plea and Forfeiture Agreement, the United States is now

entitled to possession of said property pursuant to Title 31, United States Code, Sections 5316(a)(1)(A), 5317(c)(1)(A), 5322, 5332 and Title 21, United States Code, Section 853, and Rule 32 (d) of the Federal Rules of Criminal Procedure: It is hereby ordered, adjudged, and decreed: 1. That based upon the guilty plea by the defendant and the unopposed version of the facts, any and all of the defendant's interest in the above listed property is hereby forfeited to the United States, and the United States is hereby authorized to seize the same for disposition in accordance with the law, subject to the provisions of Title 31, United States Code, Section 5316(a)(1)(A), 5317(c)(1)(A), 5322, 5332 and Title 21, United States Code, Section 853. 2. That the aforementioned forfeited property is to be held by the United States Marshals Service in the secure custody and control. 3. That pursuant to Title 21 United States Code, Section 853, the United States forthwith shall publish Three Times in "El Nuevo Dia", a newspaper of general circulation in the island of Puerto Rico, notice of this Order, notice of the United States Marshals Service's intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the court with thirty (30) days of the publication of notice or of receipt of actual notice, whichever is earlier. The notice shall state that the petition shall be for a

hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited property and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified. 4. That upon adjudication of all third-party interests, this court will enter a final Order of Forfeiture pursuant to Title 31, United States Code, Section 5316(a)(1)(A), 5317(c)(1)(A), 5322, 5332 and Title 21 United States Code, Sections 853, in which all interests will be addressed. You are hereby notified, that on June 14, 2005 the Honorable Court ordered the forfeiture of the above described properties in the Order of Forfeiture for the above captioned defendant, pursuant to Title 18, United States Code, Section 982(a)(1) and 31 U.S.C. Section 5317 of the Federal Rules of Criminal Procedure. Anyone having a claim or legal interest in the above described property shall file a petition of claim with the United States District Court, District of Puerto Rico, at the Federal Building, #150 Chardón Street, Hato Rey, Puerto Rico 00918, and serve the United States Attorney's Office with copy of the same within Thirty (30) Days, of the publication of this legal notice. Said petition of claim is for the purpose of holding a hearing to adjudicate the validity of the petitioner's alleged claim and interest in said property. The petition of claim shall be signed by petitioner under the penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property; and any additional facts supporting petitioner's claim and the relief sought. Failure to file a petition within the Thirty (30) Days, shall render the above described property forfeited to the United States of America in accordance with the law, subject to the provisions of Title 18, United States Code, Section 982(b)(1)(A). Respectfully submitted, In San Juan, Puerto Rico, this 28 of June, 2005. H.S. Garcia, United States Attorney, Aramis G. Ricos, Assistant United States Attorney, Torre Chardón, Suite 1201, 350 Carlos Chardón Avenue, San Juan, P.R. 00918. Tel. (787) 766-

6656.8222127.